

**United States Bankruptcy Court
Central District of California
Riverside
Mark Houle, Presiding
Courtroom 301 Calendar**

Tuesday, September 5, 2023

Hearing Room 301

11:00 AM

6:23-12832 Joshua A Gonzalez

Chapter 7

#1.00 Notice of Motion and Motion for Relief from stay, 2020 Nissan Rogue (Personal Property)
(Amended Motion filed 8/14/23)

MOVANT: GLOBAL FEDERAL CREDIT UNION

EH__

Docket 11

Tentative Ruling:

9/5/23

Service: Proper

Opposition: None

11 U.S.C. § 362(h)(1)(A) provides, in relevant part:

(h)(1) In a case in which the debtor is an individual, the stay provided by subsection (a) is terminated with respect to personal property of the estate or of the debtor securing in whole or in part a claim, or subject to an unexpired lease, and such personal property shall no longer be property of the estate if the debtor fails within the applicable time set by section 521(a)(2)--

(A) to file timely any statement of intention required under section 521(a)(2) with respect to such personal property or to indicate in such statement that the debtor will either surrender such personal property or retain it and, if retaining such personal property, either redeem such personal property pursuant to section 722, enter into an agreement of the kind specified in section 524(c) applicable to the debt secured by such personal property, or assume such unexpired lease pursuant to section 365(p) if the trustee does not do so, as applicable;

Here, Debtor's statement of intention does not list the subject property. Because Debtor was required to select to either abandon or redeem the property, or to enter a

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reaffirmation agreement, and the thirty-day deadline for filing or amending the statement of intention passed on July 31, 2023, pursuant to 11 U.S.C. § 521(a)(2)(A) the automatic stay has terminated as a matter of law.

Therefore, the Court is inclined to DENY the motion as MOOT.

APPEARANCES WAIVED. Movant to lodge order within seven days. If oral or written opposition is presented at the hearing, the hearing may be continued.

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| Party Information |
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Debtor(s):

Joshua A Gonzalez

Pro Se

Movant(s):

Global Federal Credit Union f/k/a

Represented By
Diana Torres-Brito

Trustee(s):

Larry D Simons (TR)

Pro Se